

thirds of the population in the paging geographic area. The licensee must notify the FCC (FCC Form 489), no later than 15 days after the end of the five year period, either that it has satisfied this requirement or that it has satisfied the alternative requirement to provide substantial service in accordance with paragraph (k)(3) of this section.

(3) As an alternative to the coverage requirements of paragraphs (k)(1) and (k)(2) of this section, the paging geographic area licensee may demonstrate that, no later than five years after the initial grant of its paging geographic area authorization, it provides substantial service to the paging geographic area. “Substantial service” means service that is sound, favorable, and substantially above a level of mediocre service that would barely warrant renewal.

[62 FR 11633, Mar. 12, 1997]

**§22.507 Number of transmitters per station.**

This section concerns the number of transmitters licensed under each station authorization in the Paging and Radiotelephone Service, other than paging geographic area authorizations.

(a) *Operationally related transmitters.* Each station must have at least one transmitter. There is no limit to the number of transmitters that a station may comprise. However, transmitters within a station should be operationally related and/or should serve the same general geographical area. Operationally related transmitters are those that operate together as a system (e.g., trunked systems, simulcast systems), rather than independently.

(b) *Split of large systems.* The FCC may split wide-area systems into two or more stations for administrative convenience. Except for nationwide paging and other operationally related transmitters, transmitters that are widely separated geographically are not licensed under a single authorization.

(c) *Consolidation of separate stations.* The FCC may consolidate separately authorized stations upon request (FCC Form 600) of the licensee, if appropriate under paragraph (a) of this section.

(d) *Replacement of site-by-site authorizations with single authorization.* After

a paging geographic area authorization for a channel has been issued, the FCC may, on its own motion, replace the authorization(s) of any other licensee (for facilities located within that paging geographic area on that channel) with a single replacement authorization.

[62 FR 11634, Mar. 12, 1997]

**§22.509 Procedures for mutually exclusive applications in the Paging and Radiotelephone Service.**

Mutually exclusive applications in the Paging and Radiotelephone Service, including those that are mutually exclusive with applications in the Rural Radiotelephone Service, are processed in accordance with §22.131 and with this section.

(a) Applications in the Paging and Radiotelephone Service may be mutually exclusive with applications in the Rural Radiotelephone Service if they seek authorization to operate facilities on the same channel in the same area, or the technical proposals are otherwise in conflict. See §22.567.

(b) A modification application in either service filed on the earliest filing date may cause all later-filed mutually exclusive applications of any type in either service to be “cut off” (excluded from a same-day filing group) and dismissed, pursuant to §22.131(c)(3)(ii) and §22.131(c)(4).

(c) Competitive bidding will not be used as a selection procedure for any filing group that contains one or more applications for facilities in the Rural Radio Service. If a settlement between the applicants cannot be reached in a reasonable time, the applications may be designated for comparative consideration in a hearing. See §22.131(c)(4)(ii).

[59 FR 59956, Nov. 21, 1994; as amended at 61 FR 54099, Oct. 17, 1996]

**§22.511 Construction period for the Paging and Radiotelephone Service.**

The construction period for stations in the Paging and Radiotelephone Service is one year.

**§22.515 Permissible communications paths.**

Mobile stations may communicate only with and through base stations.